

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

RUSSELL PEELER,
Plaintiff,

v.

DEPARTMENT OF JUSTICE FEDERAL
BUREAU OF INVESTIGATION
Defendants.

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CASE NO. 3:15-cv-169(RNC)

INITIAL REVIEW ORDER

Plaintiff, a Connecticut inmate, brings this action pro se pursuant to 42 U.S.C. § 1983 against the Federal Bureau of Investigation alleging that the defendant has improperly denied his request under the Freedom of Information Act, 5 U.S.C. § 552, for a record of all calls to and from his pager.

Under 28 U.S.C. § 1915A, the Court must review a prisoner's complaint against a governmental entity and dismiss any part of the complaint that is frivolous or malicious or fails to state a claim on which relief may be granted. The complaint is sufficient to withstand this initial review.

ORDERS

(1) The **Clerk shall** serve the complaint on the U.S. Department of Justice Federal Bureau of Investigation within twenty-one (21) days from the date of this order in accordance with the procedure for effecting service on a federal agency.

(2) **The defendant shall** file a response to the complaint, either an answer or motion to dismiss, within **seventy (70) days**

from the date of this order. If the defendant chooses to file an answer, the defendant shall admit or deny the allegations and respond to the claim recited above. The defendant also may include any and all additional defenses permitted by the Federal Rules.

(3) Discovery, pursuant to Federal Rules of Civil Procedure 26 through 37, shall be completed within **seven months (210 days)** from the date of this order. Discovery requests need not be filed with the court.

(4) All motions for summary judgment shall be filed within **eight months (240 days)** from the date of this order.

(5) Pursuant to Local Civil Rule 7(a), a nonmoving party must respond to a dispositive motion within twenty-one (21) days of the date the motion was filed. If no response is filed, or the response is not timely, the dispositive motion can be granted absent objection.

(6) If the plaintiff changes his address at any time during the litigation of this case, Local Court Rule 83.1(c)2 provides that the plaintiff MUST notify the court. Failure to do so can result in the dismissal of the case. The plaintiff must give notice of a new address even if he is incarcerated. The plaintiff should write PLEASE NOTE MY NEW ADDRESS on the notice. It is not enough to just put the new address on a letter without

indicating that it is a new address. If the plaintiff has more than one pending case, he should indicate all of the case numbers in the notification of change of address. The plaintiff should also notify the defendant or the attorney for the defendant of his new address.

So ordered this 12th day of February 2015.

 /s/
Robert N. Chatigny
United States District Judge